

Attachment A

SCT in County X thinks he will apply (or actually knows he will apply) for an EQIP contract.

EQIP contracts are competed county-wide in Wisconsin. Ethics guidance requires the employee to notify his supervisor as soon as he believes he might apply for an EQIP contract. The employee must avoid being involved in any pre-contract functions (see matrix) which he must not perform until he is notified of procedures for handling his disqualification.

The employee will be notified where he will apply. The state conservationist will designate a state office person to coordinate the administrative handling for EQIP applications and ranking. The employee will take annual leave or use a non-work day to apply.

Once the employee notifies the supervisor and actions are taken to redirect the application out of the county, the employee can continue to perform work as normal, being aware of any additional need to disqualify for any of the situations/relationships detailed on the matrix 405.G-2a.

- For example, a father who farms in the same county as the employee works in, comes in to apply. The employee may not take the application and must disqualify (notify) through his/her supervisor immediately. In fact, if Dad has been mentioning at any point that he plans to apply, the employee needs to disqualify at that point. If Dad applies, he will be directed to the person appointed by the state conservationist to handle such applications. Dad will be assigned an administrative county by the state office where his application will be ranked and if awarded a contract, he must also conduct the business of the contract in the county he has been directed to. The employee must not perform any work at all on this contract during the life of the contract.

If the employee is awarded a contract, the employee will be informed where the administrative county will be. The employee must not perform work on the contract on official time at any time and must take annual leave to travel to the county to conduct business related to the contract or to transact business regarding the contract over the phone during work.

A district conservationist in County Y will sign up for a CSP contract.

The ranking factors are determined nationally so the application does not have to be sent to the state office for ranking and award procedures. The employee can never work while on official time on his own application/contract or anyone else's whose financial interest is imputed to him/her on matrix 405.G-2a, but can work on any other's pre-contract applications and contracts after award.

A brother of a DC, SC or SCT comes into the office looking for a conservation plan to be written for his farm but does not want to sign up for any programs.

Employees must never provide conservation technical assistance on their own operation or that of another with whom there is a covered relationship (see matrix 405.G-2a) while on official duty. The employee will disqualify (notify) to the supervisor immediately.

However, if the employee is not a 450 filer, he/she can provide assistance and advice (can answer questions, can't write an official plan) after work (not on official duty) either paid or unpaid. If the employee is a 450 filer and will be unpaid, he/she can provide assistance and advice after work but if the outside activity involves providing personal services as a *consultant* or *professional* (paid or unpaid) then an employee who is a 450 filer must get prior approval

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before engaging in the outside activity. (Remember this type of assistance outside of work hours does not negate the responsibility of the employee on official duty to disqualify if the brother decides to apply for an EQIP contract in the county the employee works in. Failure to disqualify would be the appearance of a loss of impartiality – conflict of financial interest)

ASTC-FO will be applying for an EQIP contract in a county within their area

All the same applies as the SCT in County X example above except, the ASTC-FO must notify the state conservationist directly as soon as he believes he might apply for an EQIP contract before any work concerning the signup is commenced such as ranking criteria discussions. (Additionally, the ASTC-FO must notify the STC as soon as he/she is aware of anyone whose financial interest is imputed to him/her plans to apply for a program or request technical assistance) The state conservationist will determine which area office will be the administering area for purposes of application and any resulting contract.

LCD (or other cooperating partner) employee will apply or request technical assistance

LCD employee contacts DC who lets area office know. The ASTC-FO will have authority to determine how these applications/contracts will be administered to remove conflict of financial interest concerns.

For instance, in a county where no LCD employees assist NRCS with program functions, the ASTC-FO may determine that no conflict of financial interest exists and the federal NRCS employees in the county will retain the application/contract to administer within the county. The county LCD employee must not work on his/her own contract at any time or anyone else's whose financial interest is imputed to him (see matrix 405.G-2c.

In an office where LCD county employees assist NRCS with ranking, pre and post contract functions, the ASTC-FO may make the determination that the application/contract will be redirected to the area office or another county office for administration to remove the conflict of financial interest concern.

State office employee farms in the state and will be applying for EQIP

Some positions, for example administrative assistant or HR, normally would not have a conflict of financial interest because they have no role in influencing funding decisions but others such as the EQIP Program Coordinator or ASTC-Programs could. Employee is advised to notify supervisor in all cases to get a determination. The STC will assign the issue to the appropriate person for resolution.